**Department of** Revd

**OFFICE** Board Revd

**STATION** Madras

Mis **No.** 2147

**Dated** 4/8/41

RECEIVED
-6 AUG 1941
6/8

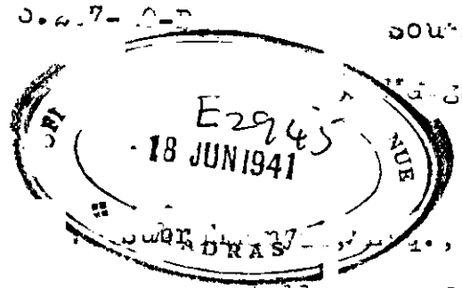
**(SUBJECT.)**

Land S. Kanara Mangalore taluk
Mangalore municipality - Kodialbail East ward
~~Ex~~ Urwa Mandan -
Mangalore Extension of water-supply passed

R.C.J. S.a.7-40-P

South Kanara Collector's Office,

Mangalore, 11th June 19..




From

..., I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board of Revenue,

Land Revenue & Irrigation, Madras.

Sir,

Alienation - Land - Mangalore Municipality - Kodialbail East ward - Urwa Maidan (portion) - Municipal Council, Mangalore.

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Ref: P.P.Lis.No.3505, dated 6.12.1939.

In G.O.No.3168 Rs., Rev.Dept., dated 28.11.1939, communicated with the Board's proceedings cited above, the Government have requested the Board of Revenue to take steps for the alienation to the Municipal Council, Mangalore, of an extent of 15.64 acres of land in the Urwa Maidan in Kodialbail East ward, Mangalore Municipality, subject to the payment of land value at the concessional rate of Rs.1000/- (Rupees one thousand) per acre and subject to the stipulation, besides the usual conditions, that no betterment charges should be demanded by the Municipal Council in respect of any Government land included in the Town Planning Scheme whether reserved or not for Government purposes. On a reference to the ------ Commissioner, Mangalore Municipality, he has sent a plan ----- (copy enclosed) and a resolution of the Council ... for the alienation of plots T.S.Nos.285/2 and 4 to 7 and T.S.Nos. 284/3 to 10 of Kodialbail (A) village for sale as house-sites, and T.S. Nos.285/1 & 3 and 284/... for road purposes. Plots S.Nos.285/2 and 4 to 7 and T.S.Nos.284/3 to 10 measure in

aggregate 14.53 acres in extent. The resolution, however, confined itself only to lands available for sale as house-sites in the Urwa-waidan i.e., the above extent of 14.53 acres and did not make mention of the subdivisions marked T.S.Nos.285/1 & 3 and 284/2 which were proposed for being alienated for road purposes. As this indicated that the Municipal Council is not prepared to pay for the lands proposed to be alienated for road purposes also, I drew the attention of the Municipal Commissioner to this office ref. B4-6037-37, dated 17.5.1938 in connection with the Board's order Ref.No.3126/37-3, dated 28.5.1938, wherein he was asked to state whether the Council was agreeable to pay at the rate of Rs.500/- an acre for the whole extent of 15.64 acres and the Commissioner's reply thereto C.No.1947-32-37, dated 1.6.1938 wherein he stated that the Municipal Council was prepared to pay at the rate of Rs.500/- an acre for the said 15.64 acres of land. I also pointed out to him that the idea was that the whole plot should be sold at a concessional rate to the Municipality and the intention was that the whole extent should be alienated and it should be left to the Municipality to set apart roads and parcel out house-sites. In his reply, C3.No.3066/41, dated 17.5.1941, the Commissioner observes that in this office B4-6037-37, dated 17th May 1938, he was merely asked to state whether the Council was prepared to pay at the rate of Rs.500/- per acre for the 15.64 acres of Government land to be sold as building sites. He further observes that the whole question of payment of land value comes as a result of Government Memo. 51823-101-P.H., dated 8.5.1935, wherein Government observed that they ordinarily do not alienate Government land free of cost for sale as house-sites. He also states that it is clear from Government Memo.No.2529-F-37-9, dated 5.8.1939, that value is to be paid only for the land to be taken from Government and sold as house-sites and not for the lands set apart for roads.

2. Neither of the communications referred to by him contemplates that the land value at the concessional rate is to be collected only on the extent proposed to be set apart for house-sites. On the other hand, the intention all along seems to have been indicated by me to the Commissioner, as referred to in the previous

paragraph. I request, therefore, that the Government may be asked to make it clear to the Municipality that the whole land is to be paid for at the concessional rate of Rs.1000/- an acre and not merely 12.55 acres as contended by the Municipal ----- Commissioner.

For Collector.

11.6.54

DESPATCHED
11 JUL 1941

pp 1-3 f.

JM 9/7

F-C Secy

The words "to the calculations" in para 2 of the first "have been omitted from F-C. The omission should be supplied & the explanations given by the Examiner submitted at once

Draft separately
14/7

To the Secy to Govt Rev Dept
with a Statement (p 5 f)

Abstract
Alienation - Land - (S. Kanara)
Mangalore taluk & municipality -
Kodialbail East ward - Survey
No. 2 (portion) Municipal council
Mangalore - Report submitted
by Collr. of S. Kanara. Roc. 237-A2-43
Dated 11-6-41 A.

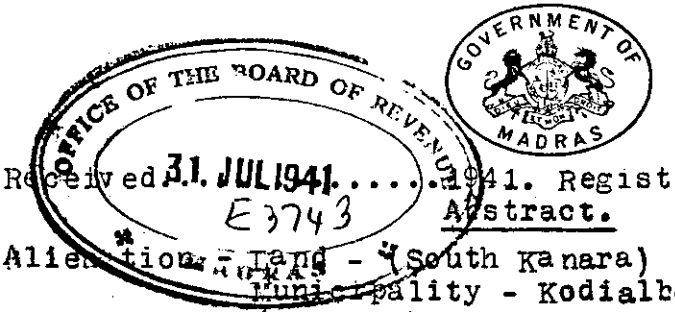
Ref E 2945-41-1D 8-7-41

Forwarded to the government.

2 The Board invite the attention of the govt. to the calculation in para 2 of the govt. Memo No. 2529-F-37-9 dated 5-8-39 which suggest the assumption that the whole extent would be utilised as house sites. The Board recommends that the value at Rs 1,000 an acre should be collected only on the extent to be used as house sites and that land required for streets roads and lanes should be alienated free of land value and assessment in accordance with the usual practice.

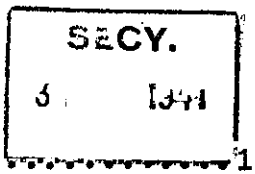
8-7-41

7/7/41










Received 31. JUL 1941.....1941. Registered.....1941.

Abstract.

Alienation of land - (South Kanara) - Mangalore taluk - Mangalore Municipality - Kodialbail East ward - Urwa maidan (portion) - Municipal Council, Mangalore - Collection of value - orders passed. Go. comnd.

Revenue Department.

G.O.No.MS.1722, dated 29th July 1941.

Read the following:-

G.O.No.3168 Revenue, dated 28th November 1939.

From the Board of Revenue, Reference E.No.2945/41-1, dated 8th July 1941.

ORDER:-

The Government approve the proposal of the Board of Revenue that land value at Rs.1000/- an acre should be collected only on the extent to be used as house sites and that the land required for streets, roads and lanes should be alienated free of land value and ground rent.

(By Order of His Excellency the Governor)

A.R.C.Westlake,
Secretary to Government.

To the Board of Revenue.

(True copy)
Forwarded.
(By order)

Superintendent.

[Subject overleaf]

Regn no 21470 4——8——41

Communicated to the Collr of S. Kanara

To The Collr of S. Kanara

My
A.S.L.R.
Mno/E

Note file

Land (S. Kanara) Mangalore Municipality
Kodialbail East Ward - Zirwa Maidan (Portion)
Sale at Concessional rate -

Mis 3505 (D) 6.12.39
Mis 2918 (F) 13.10.39
Rm 1468 (H) 30.5.39
Rm 2277 (T) 18.8.38
Rm 1517 (P) 13.5.37
Rm 851 (W) 12.237
Rm 3038 (M) 1936
Rt 5788 (S) 14.11.33

Appl: Ref. — L Collr of S. Kanara. Roc. 237.40-B2 Dated 11-6-41
Sketch at p 5 c/f.

plea (D) — In G.O. No. 3168 Rev. Dept dated 28.11.39, the Govt. requested the Board of Rev. to take steps for the alienation of an extent of 15.64 acres of land in the Zirwa Maidan in Kodialbail East ward, in favour of the Municipal council Mangalore subject to the payment of the value of the land at a concessional rate of Rs. 1,000 per acre and subject also to ~~the same~~ the other conditions mentioned in the G.O. The Collr. now reports that the Municipality is ~~not~~ prepared to pay only for the extent of 14.53 acres ~~at the rate of~~ (extent available for house sites) at the rate of Rs 1,000/- and that ~~that~~ it is not ~~not~~ willing to pay for the remaining extent 1.11 acres which is reserved for roads. The contentions of the Municipal council ~~appears to have been~~ is based upon

(1) the Govt. Memo. 51823-1-D1. P.H. dated 8.5.38 in which Govt. observed that Govt. ~~have~~ do not generally alienate Govt. land free of cost for

sale as house sites and

(2) Govt. Memo. 2529-F-37-9 dated 5-8-39 in which they demanded a concessional rate of Rs 1,000 an acre for the lands. The Commr. states that the two memos. are conclusive clear to the effect that the Govt. contemplate the collection of value only in respect of lands to be sold as house sites and not for sites set apart for roads.

pp 1-2 ff (F)
But the calculations indicated that the whole extent can be sold as house sites
Ch 6/4

The Govt. Memo. 2529-F-37-9 Dated 5-8-3 relied upon by the Commr. is against the views held by him. In para 2 of the Memo. the Govt. calculated the value of the land to be realised by the council for the entire extent of 15-64 acres at Rs 4,000 an acre and arrived at the figure Rs 62560. They also calculated that the value to be paid by the Municipal Council will be only Rs 15640 at Rs 1000 an acre. Either in this memo or in G.O. No. 3168 Ms. Rev dated 28-11-39, there is any indication that the concessional value of Rs 1,000 is to be recovered only in respect of lands to be sold as house sites and that the land to be set up for roads will be granted free of cost. The concessional rate of Rs 1,000 should be on the entire extent of 15.64 acres and not only on the extent actually to be sold as

house sites. The Collr. requests that the Govt. may be addressed to inform the Municipal Council that the concessional value should be paid in respect of the entire extent and not only on the extent of 14.53 acres to be sold as house sites. The Coll's letter may be forwarded to the Govt. and the Board may recommend his proposal.

Draft orders

CSI
2.7.41

M3

The letter may be forwarded. Reference may be made to the calculations in para 2 at P/s of (F) BP 2918/13-1089 which suggest the assumption that the whole extent will be utilised as house-sites, but may be recommended that value at Rs. ... an acre shd be collected only on the extent to be used as house sites — & that land required for streets roads & lanes shd be alienated free of land value & assessment in accordance with the usual practice

[Egp. No. Ms. 1722 Rec dated 29.7.49] - p7 cf

Mayl'd Commd. to the Collr.

Draft Subm'd.

163
7/8/W

B.P. No. Misc. 2147
Dated 4.8.41.

Single ~~Number~~
~~Two Members~~
~~Full Board.~~

| I.A. | A.D.S &L.R. | Assistant Secretary L.R. | Sett. | Sep.Rev. | J.S.Secy. | M M M M 4 3 2 1 |
|---|---|---|---|---|---|---|

1. Open file seen by

2. Final draf seen by.

3. Now circulated t

4. Initials

Passed for record

Secretary
Joint Secretary

A.S. (L.R.) 6/5.8
A.S. (Settl)
A.S. (Sep.Rev.)
A.D.S. & L.R.
I.A.

Note:-- Entries not required to be scored out.